

Development Control Regulations for
Greater Mumbai, 1991.

- Modification to Regulation No.
33(2) of-

- Directive under section 37(1) of
Maharashtra Regional and Town
Planning Act, 1966 ...

GOVERNMENT OF MAHARASHTRA

Urban Development Department,
Mantralaya, Mumbai 400 032.

Dated the 19th June, 2001.

ORDER

Eq. FSI-1199/622/CR-70/99/UD-11:-

The Development Control Regulations for Greater Mumbai, 1991, (hereinafter referred to as the "said Regulations") have been sanctioned by Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the "said Act") vide Urban Development Department's Notification No. DCR 1090/RDP/UD-11, dated 20/2/1991 to come into force with effect from 20/3/1991.

Regulation No. 33(2) of the said Regulations empowers the Municipal Commissioner, Municipal Corporation of Greater Mumbai (hereinafter referred to as the "said Corporation") to grant additional 100% FSI over and above the permissible FSI in respect of buildings of educational institutions. The grant of such additional FSI is subject to the payment of such premium as may be decided by Government.

The Government has received a number of representations from various institutions/general public requesting to enhance the limit of additional FSI that may be granted to educational buildings.

After examining the aforesaid representations and after consulting the Education Department, Government finds it necessary to enhance the limit of additional FSI that may be granted to educational buildings subject to certain specific conditions, for which purpose modification to Regulation 33(2), is necessary.

Considering all these facts and in exercise of the powers vested under section 37(1) of the said Act, Government is hereby pleased to issue the following directions to the said Corporation.

GR-20020123173019000-0600

DIRECTIONS

The said Corporation shall initiate modification to Regulation No.33(2) of the said Regulations as under -

Modification No.1: The following new proviso shall be added to the second proviso of Regulation No.33(2):

"Provided further that, with the previous approval of Government, the FSI in Table No.14 for buildings in independent plots of educational institutions may be permitted to be further exceeded by a maximum of 200% over and above the additional FSI permitted as aforesaid. The further additional FSI thus granted shall be subject to the terms and conditions enumerated below.

Terms and Conditions:

- a) Out of the total additional FSI of 300% allowed, 50% may be availed by utilising Transferable Development Rights (without payment of premium) except in the Island City, provided that the utilisation of such TDR will be allowed only after availing of the remaining additional FSI.
- b) Such additional FSI (except the TDR component) will be permissible subject to the payment of premium to Government as may be decided by Government, out of which 50% shall be payable to the Corporation.
- c) The additional builtup area over and above the permissible FSI shall be utilized for bonafide Educational purposes only.
- d) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions.
- e) 10% seats, out of the total capacity, shall be reserved for Government nominees as may be recommended by the Department of School Education, Department of Higher and Technical Education, Government of Maharashtra.
- f) The Director of School Education, Government of Maharashtra and Director of Higher and Technical Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (c), (d) and (e) above and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education and the Director of Higher and Technical Education shall have the right to suitably penalise the Education Institution.
- g) The Educational Institution shall maintain records regarding free/concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.

GR-20020123173019000-0600

- h) The trustees of the Educational Institution shall furnish the requisite periodical statements to the Director of School Education Higher and Technical Education in regard to (d), (e) and (g) above.
- i) A building for a Educational Institution containing mixed users (area under non-education users not exceeding 20% of the permissible built-up area as per Table No.1-4) shall also be eligible for further additional FSI, to be considered on the entire plot area.
- j) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.

Modification No.2: A new clause 21 relating to grant of TDR in Appendix-VII of Regulation 34 of the said Regulations shall be added as under:

"Clause No.21: Notwithstanding anything contained in these Regulations, additional FSI upto to the extent of 50% permissible as per the provisions under Regulation-32(2) may be allowed to be utilised in the form of TDR (except in the Island City) in case of buildings on independent plots of Educational Buildings of Public Charitable Trusts, provided that utilisation of TDR will be allowed only after availing of fully the remaining additional FSI of 50% requiring the payment of premium".

- B) The said Corporation shall publish requisite notice within sixty days from the date of issue of order thereby inviting suggestions/ objections from the general public for proposed modification.
- C) After completing the legal procedure as contemplated under section 37(1) of the said Act, the said modification proposal shall be submitted to the Government.

By order and in the name of the Governor of Maharashtra,

(S.V. Deehpende)

Deputy Secretary to Government.

To

The Municipal Commissioner,
Municipal Corporation of Greater Mumbai

Copy to:

- 1) Principal Secretary, Higher and Technical Education Department, Government of Maharashtra, Mantralaya, Mumbai 400 032.
- 2) Secretary, School Education Department, Government of Maharashtra, Mantralaya, Mumbai 400 032.
- 3) Director of Education, Maharashtra State, Central Building, Pune.

GR - 20020123173019000 - 0600